

**United States District Court
Northern District of New York**

Theresa E. Gibson,)	Case 5:19-cv-01005-ATB
<i>Plaintiff,</i>)	
)	Andrew T. Baxter
vs.)	United States Magistrate Judge
)	
Andrew Saul,)	Stipulation – Document Filed Electronically
Commissioner of the Social)	
Security Administration)	
<i>Defendant.</i>)	

Parties' Stipulation for Remand

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the case will be referred to a different Administrative Law Judge ("ALJ"). The ALJ will then offer Plaintiff the opportunity for a new hearing, take any further action needed to complete the administrative record, obtain medical expert evidence, re-assess her residual functional capacity, and issue a new decision.

The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

Andrew Saul,

By His Attorneys

Grant C. Jaquith,
United States Attorney

/s/ Lisa G. Smoller

Lisa G. Smoller
Special Assistant United States Attorney
N.D.N.Y. Bar Roll No. 700999
Social Security Administration
Office of the General Counsel
J.F.K. Federal Building, Room 625
Boston, MA 02203
(617) 565-4279
Lisa.g.smoller@ssa.gov

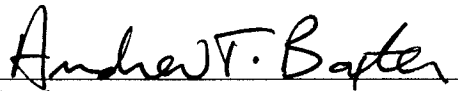
Theresa E. Gibson

By Her Attorney

/s/ Howard D. Olinsky¹

Howard D. Olinsky
Olinsky Law Group
300 S. State Street, Suite 420
Syracuse, NY 13202
(315) 701-5780
holinsky@windisability.com

IT IS SO ORDERED:



Andrew T. Baxter
U.S. Magistrate Judge

Dated: December 4, 2019
Syracuse, NY

¹ Signed by Lisa Smoller with Howard Olinsky's permission.